

**MINUTES
REAL ESTATE APPRAISER LICENSURE
AND CERTIFICATION BOARD**

**Thursday, December 11, 2008
8:30 a.m.**

**Indiana Government Center-South
402 West Washington Street
Conference Center Room W064
Indianapolis, Indiana 46204**

Mr. Traynor called the meeting to order at 9:00 a.m. in Conference Center Room #20 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum, in accordance with IC § 25-34.1-8-4.

Members Present:

Joe Traynor, Chairman
Wayne Johnson, Vice Chairman
Terry Watson, Appraiser Member
John Newlin, Appraiser Member
Lowell K. Griffin, Appraiser Member

Members Absent:

James Lewis, Consumer Member
Liz Stoll, Lender Member

I. CHAIRMAN'S REPORT

II. REPORT FROM THE INDIANA ATTORNEY GENERAL'S OFFICE

III. REINSTATEMENT OF EXPIRED LICENSE

Bethany Cronk expired 1/1/2004

A motion was made and seconded to reinstate the license of Ms. Cronk
Motion Carried
5-0-0

IV. OLD/NEW BUSINESS

A. Probation Monitoring Contract

The board was updated on the status of the probation monitoring contract

B. Fingerprinting Rule

The Board was informed the Fingerprinting Rule had been passed by the IREC and that the fingerprinting process for new appraiser applicants would begin 1/1/09

C. License Law Update Rule

The Board was informed the rule that would repeal the License Law requirement was held and passed by the IREC.

D. Appraisal Subcommittee update

The Board held a discussion in preparation for the filed review by the ASC in January 2009

E. FDIC

The Board held a discussion about beginning a relationship with the FDIC

F. First Audit

The Board was provided with an update on the 2004-2006 continuing education audit. They were informed that nearly all of the student rosters have been completed and that letters to the effected students should be mailed shortly after the ASC's visit in January 2009.

1. Were are we with the providers
2. Students
3. Decision on what to do with the disallowed hours

G. Second Audit

The Board discussed the 2006-2008 continuing education audit and allowing licensees who took AQB non-complaint courses additional time to make up their CE with AQB complaint courses without any additional discipline. Two licensees requested additional time to January 9, 2009 to complete the necessary hours and the Board granted those requests. The Board also reviewed Mr. Heaton's continuing education certificates and made the determination that the courses he submitted were insufficient. Finally, the Board was informed that all of the other licensees associated with the 2006-2008 continuing education audit who needed to take additional courses have complied with the Board's request and are now considered to be complaint.

1. Time extension to January
2. Update on the licensees the Board requested complete necessary hours
 - a) Still needs to complete as requested**
 - 1) Tim Cork 19/35 and USPAP from a certified USPAP instructor (needs extension to 1/9/09)
 - 2) Ronald Dorscha 15/35 (should have CE to turn in, but needs extension to (1/9/09)

b) Protesting Board's action

- 1) Floyd Heaton 0/35 including USPAP from a certified USPAP instructor

c) Completed as requested

- 1) Traci Ostendorf 31/35
- 2) William Reiners 33/35
- 3) Charles Mowery 27/35
- 4) Patrick Troy 18/35
- 5) Paul Tellef 34/35
- 6) Jennifer Willet 18/35
- 7) Thomas Eiler 21/35
- 8) Jerrald Titus 18/35
- 9) Joe Giacoletti 29/35
- 10) Stephen Shelton 33/35 (courses were approved by Kentucky Board - they are OK).
- 11) Cathy Pollard
- 12) Monty Ewing 34/35
- 13) Lester Templin 25/35 (will turn in by evening of 12/9/08)

d) Requested to turn in license in lieu of making up continuing education

- 1) Winston Hunter 11/35 (wants to turn in license)
A motion was made and seconded to allow Mr. Hunter's license to expire and be reported to the ASC as "AQB non-compliant".
3. Additional licensees who need to make up hours from disallowed courses
The licensees listed below requested additional time to make up the necessary continuing education for the 2006-2008 after taking AQB non-compliant courses.

- a) Margret Russell 28/35 and no license law
- b) Michael Sexton 25/35

V. STATUS OF CONDITIONAL LICENSES

A. James Gasvoda

Re: Conditional License – complied with Board’s conditional order

A motion was made and seconded to return Mr. Gasvoda’s license to “active” status

B. Kimberly Truex

Re: Conditional License was issued conditional license and then subsequently sent in continuing education certificates showing she completed the CE in the necessary timeframe. Also, the CE audit letter appears to have service problems, although it was sent to the correct address.

A motion was made and seconded to rescind the notice of non-compliance for Ms. Truex and return her license to “active” status.

C. Kurt Von Spreckleson

Re: Conditional License – complied with Board’s conditional order

A motion was made and seconded to return Mr. Von Spreckleson’s license to “active” status.

D. Delegation of renewals and AQB compliance changes to staff

A motion was made and seconded to allow staff to modify AQB compliance information on the licensing database and the National Registry once a licensee complies with the necessary continuing education requirements to prevent them from having to wait until the next board meeting.

Newlin / Johnson
Motion Carried
5-0-0

VI. STATUS OF LICENSEES ON PROBATION

A. Report from Staff regarding licensees on probation

Ms. Sims informed the Board the licensees on probation are in compliance with the terms of their probation.

VII. RENEWAL OF SUMMARY SUSPENSION HEARING (9:00 A.M)

A. State of Indiana v. Thomas Ely

REAB 08-21

Re: Renewal of summary suspension

A motion was made and seconded to grant the renewal of summary suspension

Newlin / Johnson
Motion Carried
5-0-0

VIII. ADMINISTRATIVE LAW JUDGE ORDERS FOR DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. Douglas W. Meyer

REAB 06-144

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order

Griffin / Watson
Motion Carried
5-0-0

B. State of Indiana v. Gary L. Nunley

REAB 06-109

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order

Griffin / Watson

Motion Carried

5-0-0

C. State of Indiana v. Michael D. Schmidt

REAB 07-32

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order

Griffin / Watson

Motion Carried

5-0-0

D. State of Indiana v. Stephen C. Phillips

REAB 08-01

Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order

Griffin / Watson

Motion Carried

5-0-0

IX. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. Sheryl Borszem

REAB 07-42

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order.

Newlin / Johnson

Motion Carried

4-0-1

B. State of Indiana v. Patrick Early

REAB 07-53

Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law and Order.

Newlin / Johnson

Motion Carried

4-0-1

X. APPLICATION REVIEW

A. Certified Residential

1. Gregory Frame A
2. Steven Wenger T

B. Certified General

1. Steven Huntsman 3rd review D

2. William Branch 3rd review A

D. Temporary Permits
See attached sheet

E. Education Review

A motion was made and seconded to approve the following continuing education courses as described below.

Newlin / Watson
Motion Carried
5-0-0

1. Hoosier State chapter of the Appraisal Institute A

Instructor : Mark Ratterman INST001398

Course: Residential Appraisal Market Conditions Analysis and the MC Form 3.0

2. Appraisal Institute A

Instructor: Mark Ratterman INST001398

Course: Using Spreadsheet Programs in Real Estate Appraisal- The Basics 7.0

Instructor: Nick Tillema

Course: Litigation Skills for the Appraiser: An Overview 7.0

3. National Association of Independent Fee Appraisers A

Instructor: Jerry Keller

Course(s): FHA Current Appraiser Requirements 7.0

Appraising in the Foreclosure Market 7.0

Residential Report Skills 7.0

XII. Adjournment

A motion was made and seconded to adjourn the meeting at 11:30 a.m.

Motion Carried

5-0-0

Joseph A. Traynor, Chairman

Date